

UNITED STATES OF AMERICA  
ENVIRONMENTAL PROTECTION AGENCY  
BOSTON REGION

In the Matter of:

PUBLIC HEARING:

RE: CLEAN HARBORS OF BRAINTREE EPA HAZARDOUS AND  
SOLID WASTE AMENDMENTS (HWA PERMIT)

Braintree Town Hall  
Johnson Room  
One JFK Memorial Drive  
Braintree, Massachusetts

Wednesday  
April 16, 2014

The above entitled matter came on for hearing,  
pursuant to Notice at 6:30 p.m.

BEFORE:

ELIZABETH DEABAY, Chief  
RCRA Waste Management and UST Section  
Hearing Officer

SHARON LEITCH, Permit Writer  
U.S. Environmental Protection Agency  
New England Region I  
5 Post Office Square  
Boston, MA 02109

I N D E X

| <u>SPEAKERS:</u> | <u>PAGE</u> |
|------------------|-------------|
| Michael Lang     | 7/27        |
| Bill Connors     | 19          |
| Tom Maloney      | 19          |
| Nita Ricca       | 25          |
| David Oliva      | 26          |

## P R O C E E D I N G S

(6:30 p.m.)

MS. DEABAY: Good evening, ladies and gentlemen. My name is Beth Deabay. I'm the Chief of the RCRA Waste Management and Underground Storage Section with the New England Regional Office of the United States Environmental Protection Agency, also known as EPA.

Also, joining me here this evening, is Sharon Leitch, EPA's Permit Writer for the permit which is the subject of this hearing.

This hearing concerning the issuance of the EPA Hazardous and Solid Waste Amendments, called HSWA, permit for the Clean Harbors of Braintree facility shall be called to order.

The Resource Conservation and Recovery Act, RCRA, governs the management of hazardous waste. There are state and federal hazardous waster requirements that are applicable to the Clean Harbors Braintree facility.

Clean Harbors is currently operating under a license issued by the Commonwealth of Massachusetts which covers most of the hazardous waste requirements.

The statute that amends RCRA is the Hazardous and Solid Waste Amendments, HSWA, of 1984.

The EPA HSWA permit includes the federal hazardous waste requirements that the state is not authorized to

1 implement under the Massachusetts Department of Environment  
2 Protection hazardous waste program. The federal  
3 requirements included in this permit are, organic air  
4 admissions requirements and some hazardous waste codes.

5 In general, the organic air emission rules require  
6 that certain controls be implemented at the hazardous waste  
7 facilities to limit the amount of volatiles that are emitted  
8 into the air from the handling of hazardous waste at the  
9 facility.

10 The federal regulations are self implementing  
11 until EPA issues a permit. The Clean Harbors facility has  
12 been required to comply with the air emission requirements  
13 for some time. And the proposed EPA permit further defines  
14 how these regulations apply.

15 In addition to the air emission standards, the  
16 permit also includes a number of listed hazardous waste  
17 codes that MassDEP is not authorized to regulate, for which  
18 Clean Harbors will be permitted to handle.

19 In essence, the federal permit could be viewed as  
20 an addendum to the state license.

21 The permit will be issued in final form upon  
22 consideration of comments received during the public comment  
23 period, including those received during this hearing.

24 EPA issued a public notice for the draft HSWA  
25 permit on January 23, 2014 in the Braintree Forum newspaper.

1 And it was also announced on WATD radio on February 20,  
2 2014. The public comment period began on January 23, 2014,  
3 and as initially announced, was to run through March 10,  
4 2014.

5 The legal notice for this public comment period  
6 and a copy of the Draft Permit and Fact Sheet were published  
7 on EPA's website on January 23, 2014.

8 Due to significant community interest in the  
9 permit, the EPA also held a public information meeting on  
10 March 5, 2014 here in the Braintree Town Hall, to provide an  
11 opportunity for an open discussion on the Draft Permit. EPA  
12 also received several requests for a public hearing on that  
13 Draft Permit.

14 After consideration of these requests, and  
15 following the public meeting, the EPA extended the public  
16 comment period until today, April 16th.

17 Public notice for this hearing and for the  
18 extension of the public comment period was published in the  
19 Braintree Forum newspaper on March 13, 2014, and was also  
20 announced on WATD radio on April 8, 2014.

21 Since January 23rd, the Draft Permit and a Fact  
22 Sheet explaining the Draft Permit have been available for  
23 interested parties to review and provide comment. The Draft  
24 Permit and Fact Sheet were also made available on EPA's  
25 website and are still there.

1           Tonight's hearing is an informal, non adversarial  
2 hearing providing interested parties with the opportunity to  
3 make oral comments and/or submit written comments on the  
4 proposed permit. There will be no cross examination of  
5 either the panel or the commenters. Any questions directed  
6 to a commenter from a panel member will be for clarification  
7 purposes only.

8           This public hearing is being recorded. The  
9 transcription will become part of the official  
10 administrative record for this permit.

11           However, in order to ensure the record's accuracy,  
12 we highly recommend that you submit written statements in  
13 addition to any comments that you make here this evening.

14           As previously mentioned, the public comment period  
15 will close tonight, April 16, 2014, at midnight. Following  
16 the close of the public comment period, EPA will review and  
17 consider all comments received during the public comment  
18 period, both in writing and provided verbally this evening.

19           EPA will prepare a document known as a Response to  
20 Comments that will briefly describe and address the  
21 significant issues raised during the public comment period,  
22 and what provisions, if any, of the Draft Permit have been  
23 changed and the reason for the changes.

24           The Response to Comments will accompany Clean  
25 Harbors of Braintree's Final Permit when it is issued.

1 Notice of the availability of both the Response to  
2 Comments and the Final Permit will be mailed or e-mailed to  
3 everyone who commented on the Draft Permit.

4 I will start by looking at the attendance cards to  
5 call people who wish to comment. These cards will be also  
6 used to notify persons of the subsequent Final Permit  
7 decision.

8 Speakers should come to the podium to speak. And  
9 I ask that, before you begin your statement, you clearly  
10 identify yourself and your affiliation.

11 I'm going to start with Mr. William Lang -- I'm  
12 sorry -- Mr. Michael Lang.

13 MR. LANG: Good evening. First of all, I've got  
14 to tell you, I'm a little upset about the way you do this  
15 process. You comment on the -- on our comments, but you do  
16 it after the permit submission. I think that's wrong.

17 I also don't like the idea that we can't have any  
18 back and forth discussion on these things. You know, that's  
19 -- that's not the way democracy works.

20 Any way, my comments, the comments of the East  
21 Braintree Civic Association are in here. And what I'd like  
22 to do is just go through quickly, if you would, and I'll --  
23 just so you understand exactly what we're talking about.

24 THE REPORTER: Can I ask a favor? If you're going  
25 to keep talking in that direction, can we just move the

1 microphone over toward where Ms. Deabay is?

2 MR. LANG: Oh, this is the microphone.

3 THE REPORTER: It doesn't project your voice. It  
4 just comes into my recorder. Thank you very much.

5 MR. LANG: You're quite welcome.

6 The first one is a 10 page comments right here. I  
7 have 10 pages of comments on your Draft Permit right there.  
8 And I won't go into that.

9 The second document is a document that I found  
10 really interesting. And where you are in the EPA, and you  
11 all work in Massachusetts, you may want to read this. And  
12 in fact, you people might be interested in this.

13 If you have your pen, write it down. It's called  
14 Unequal Exposure to Ecological Hazards Environmental  
15 Injustices in the Commonwealth of Massachusetts.

16 This is a study done by two university professors.  
17 And what it states, in effect, is that, communities are  
18 being dumped on now with a number of adverse impacts, will  
19 continue to be dumped on because they haven't got the  
20 political power or the money to fight them.

21 As a matter of fact, years ago, I had approached  
22 Paul Harold. Paul Harold was a senator back then. And I  
23 asked him to write some legislation for me that would, you  
24 know, balance the playing field a little bit.

25 And he came to me a few weeks later, and he said,



1 this can't be done. While I agree with you and while it's a  
2 good idea, he said, "the people in the legislature want to  
3 make sure it's in your neighborhood and not theirs."

4 So, that's an interesting document. You might  
5 want to read it.

6 MS. RICCA: Could you just repeat it again so I  
7 can write it down?

8 MR. LANG: Why certainly, Nita. It's called  
9 Unequal Exposure to Ecological Hazards Environment  
10 Injustices, -- are you writing Nita?

11 MS. RICCA: yeah.

12 MR. LANG: Try and stick with me here.  
13 Environmental Injustices in the Commonwealth of  
14 Massachusetts. A very interesting document.

15 And the next document I have is -- is the EPA  
16 position on environmental justice. Right there. That one.

17 And coincidentally, they agree with everything  
18 they said. Yet, they're coming out here and they're  
19 permitting facilities in over burdened communities.

20 So, it kind of gives you an idea that I'm not sure  
21 it really means an awful lot.

22 And you know, to demonstrate the problem we've had  
23 in this community, the next document is something I ran  
24 across. And I guess, it's been a lot of years. I've been  
25 doing this for 35 years. And with Nita and a bunch of other

1 people in here, Nita and Dave. And this is the Clean  
2 Harbors of Braintree court case against the Board of Health  
3 in the town of Braintree.

4 And this document will demonstrate exactly what  
5 we're talking about as far as environmental injustice.

6 And what happened here, if you don't remember it  
7 like I did, is that it went to court. Back then, Clean  
8 Harbors had to come to the town of Braintree Board of Health  
9 to get a permit. Well, they took them to court.

10 And what they did, they went to the legislature  
11 and convinced the legislature to rewrite the legislation and  
12 back date it so that all of a sudden, Clean Harbors was  
13 grandfathered into their permit.

14 And this is a good example of environment  
15 injustice right here.

16 Back at our last informational hearing, Sharon had  
17 mentioned that -- I had asked her about the problem with it  
18 being sited too close to the Citgo facility and to the 900  
19 pound gas tank in the river. And she had mentioned that  
20 that's not her department. That there's nothing they can do  
21 about it. That's another department.

22 And, you know, the first thing that struck me was  
23 Katrina, Hurricane Katrina where, after the fact, they had  
24 asked these federal agencies, well, who's at fault, and they  
25 all went like this, you know.

1 Any way, they, in fact, can do something about  
2 this. And I have a copy of the statutes right here that say  
3 they can do something. And this is about facility siting.  
4 This is CFR 270.41, 42 and 43.

5 And they state that this is for facility siting.  
6 It says, "suitability of the facility location will not be  
7 considered at the time of permit modification, revocation or  
8 re-issuance, unless -- unless new information or standards  
9 indicate that a threat to human health or the environment  
10 exists which was unknown at the time of the permit  
11 issuance."

12 And the next document is our -- is new  
13 information. And these are the FEMA -- these are FEMA maps.  
14 Back in 2000, when the state issued their permit, they  
15 issued their permit in 2012. And they obviously didn't even  
16 look at the property, because the property is partially in a  
17 flood zone.

18 And the new flood zone, the 2014 flood zone, is  
19 even higher. And if you look at the maps, the map actually  
20 shows the flood zone going up into one of the buildings and  
21 the tanks. It looks like tanks any way.

22 And what it does is, FEMA has given it a  
23 designation of VE. VE means subject to hazard -- subject to  
24 intense wave action.

25 So, you know, this is -- we feel that this is

1 creating a problem down there. We feel that it creates an  
2 unsafe environment, especially where they're right beside  
3 the Citgo terminal.

4 And the last map is a 2014 FEMA map. This is the  
5 latest map that came out. That's hard to read, so I gave  
6 you a copy of a lighter one.

7 But, it shows you that tanks in the building where  
8 it actually touches goes into that area.

9 Now, you keep saying that these people have been  
10 permitted and they're safe facilities, and they follow --  
11 you know, that you have no problem with them and all that  
12 stuff. And I started to do some research on the violations  
13 that Clean Harbors had committed throughout the country.

14 I didn't have enough print. I have a small  
15 printer. And I keep running through these print cartridges.  
16 And I'm going to have to get Dave to buy me some print  
17 cartridges.

18 And so, I put a small example of some of the  
19 violations that they've committed in here. And some of them  
20 include explosions, you know, fires. And one of the things  
21 is that, they're issuing this permit. And they say, well,  
22 they're going to fall in line. And they'll do everything  
23 that's on this permit.

24 Well, that was some of the problems that they had.  
25 That they didn't follow the permits. That they didn't even

1 document their maintenance and things like that.

2 And it's just a small example of what's on the  
3 internet that's caused violations for Clean Harbors.

4 As a matter of fact, in one of them, it mentions  
5 that the -- oh, I wish I had -- any way, it mentions that  
6 they're significantly in violation of their permits.

7 One of the big issues I had when I first started  
8 on this issue is that they couldn't read the documentation.  
9 They asked for comments on the documentation. And I had  
10 pointed it out to some of your folks that, a large portion  
11 of the documentation references back to statutes. You know,  
12 and I mean significantly references back to statutes.

13 So, it takes you into this -- this black hole with  
14 all the statutes. And you'll never need it or understand  
15 it.

16 So, I had contacted the Massachusetts Attorney  
17 General to ask her about if there is any legislation, any  
18 standard for -- for these documents, that they have to be in  
19 a certain language, or they have to be readable. And I  
20 also, at that time, the EPA hadn't come back with an  
21 extension on the permit, so I had put that in there too.

22 Well, coincidentally, afterwards, the EPA did come  
23 back. And they extended the permit. And we're grateful for  
24 that.

25 But, the -- Coakley's office never mentioned or

1 never told me, you know, if there is any standard for the  
2 documentation, you know, being able to read it and  
3 understand it.

4 So, basically, they kissed me off is what they  
5 did.

6 But, it's a funny thing, because I have another  
7 document for the EPA that I'd run across. And this is --  
8 this is a Region 1 Implementation Plan to Promote Meaningful  
9 Engagement of Over Burdened Communities.

10 And one of the suggestions that they have in there  
11 is that they -- they want the permittee to write in plain  
12 language. And you know, and you say, well, wouldn't you do  
13 that in your own documentation? Wouldn't you make your  
14 permit readable? You know, and you're requiring the  
15 permittee to make it readable.

16 That's that.

17 And the -- the other -- the next document it  
18 something that I'm kind of -- the wording is a little  
19 embarrassing, but it's all I could come up with. It's  
20 called Insane Statements of the EPA, HSWA CHI Draft Permit.  
21 And this document that, I'm sorry to say, Sharon, is badly  
22 written.

23 And it's -- I'm going to give you a few examples  
24 of -- of some of these things. Under Duty to Mitigate, it  
25 says, "in the event of non compliance of this permit, the

1 permittee shall take all reasonable steps to minimize  
2 release of hazardous waste or hazardous constituents", I  
3 don't know the word, "up to the environment and shall carry  
4 out such measures as are reasonable to prevent significant  
5 adverse effects on human health and environment."

6 Now, wouldn't you think that, if it's in non  
7 compliance, they would just shut them down?

8 Let me see if I can run through these. I don't  
9 want to hit them all.

10 It says, here's another one. "The permittee shall  
11 comply with all conditions of this permit, except that the  
12 permittee need not comply with the conditions of this permit  
13 to the extent and for the duration that such non compliance  
14 is authorized in an emergency permit under 40 CFR 270.61  
15 that explicitly authorizes any such non compliance."

16 Any way, they use the word imminent. And if you  
17 look into this documentation, to this -- this emergency non  
18 compliance, they allowed that they have to make a public  
19 notice, which gives you five days any way right there. But,  
20 also, there's an additional number of days too.

21 So, if they have that much time to allow them to  
22 do this in the non -- I'm trying to say this correctly.

23 This is a facility that can't handle this product.  
24 But, they say it's an emergency situation so they have to.

25 But, with that much time on hand, they can

1 actually find a facility that can handle it.

2 There's a couple more in here that I just have to  
3 mention.

4 Oh, here's one. You're going to love this one.

5 It says, "if there are indications of liquids  
6 dripping from the pump, a leak is detected." Now, this is  
7 their training. You actually have to train them to tell  
8 them it's a leak, you know. That kind of concerns me.

9 And it says, "any valve that is designated as  
10 unsafe to monitor is exempt from the requirements of Section  
11 2, F3, etcetera." Any way, what it states in effect is that  
12 the person that's required to monitor this thing, doesn't  
13 have to monitor it if he thinks it's unsafe.

14 But, isn't that the idea behind monitoring? That  
15 you have to monitor them so that they are safe. You know.

16 Any way, then, there's another one in here that  
17 goes on that says you don't have to repair something for 45  
18 days. And that's -- that's with a leaking tank.

19 Now, you think about it. If it's a leaking tank,  
20 in 45 days, you don't have to worry about it, because the  
21 tank is empty any way. You know.

22 The last document here, right there, it's a map.  
23 And these are -- this is an issue that I've had before. And  
24 I actually, I think -- I think, the DEP I had mentioned this  
25 to before when I was doing the bridge project.



1           It's Environmental Justice Populations. And  
2 virtually, all of Quincy is almost in -- almost all of  
3 Quincy is an environmental justice area, the area along the  
4 Fore River.

5           And what that requires, that requires them to make  
6 a little more effort to help these people. Any way, that's  
7 in there too.

8           So, I went into environmental justice. And this  
9 is the EPA document that I was telling you about right here.  
10 And I guess, they've been hit with this issue before about  
11 environmental injustice. And they're talking about over  
12 burden -- over burdened communities.

13           And it says, "the participation of over burdened  
14 communities in the permitting process is an important means  
15 to ensure that the permitting process meaningfully addresses  
16 environmental justice concerns."

17           Well, if you read through this document, what it  
18 says is that, by allowing the communities to participate in  
19 the permitting process, you should be getting a warm, fuzzy  
20 feeling on it. Although, it says, if you read this document  
21 completely, that they're still going to issue the permit.

22           And they actually put a disclaimer on the  
23 document. So that says that none of this is legal or not  
24 binding or enforceable.

25           So, I mean, it says that, we're going to issue the

1 permit. But, you should feel better about being involved in  
2 it.

3 Any way, so I gave you all the documents. And I  
4 really didn't present it real well.

5 It sounded better when I was at home looking in  
6 the mirror.

7 But, what we're asking of the EPA is that they  
8 deny the permit based on the fact that the new information  
9 is that they're in a flood zone.

10 The DEP should have picked that up when they were  
11 issuing their permit. You see the document. It's a 2000  
12 flood zone map from FEMA.

13 So, ever since 2000, it's been in the flood zone,  
14 or before that. And it's even higher now with the 2014 FEMA  
15 documents.

16 And actually, like I said before, this actually  
17 shows a building and some tanks that are actually in that --  
18 that flood zone.

19 So, we're asking that you deny the permit. We  
20 also are asking that, according to this, if you have a  
21 process, it's called EJScreen. And what it does is, it will  
22 document the populations. It will document the health  
23 issues in the neighborhoods and things like that. And we  
24 want you to do that for us.

25 So, an EJScreen and deny the permit. That's what

1 we're asking.

2 Thank you.

3 MS. DEABAY: Thank you, Mr. Lang.

4 Mr. Connors with Clean Harbors.

5 MR. CONNORS: Hello, I'm Bill Connors. I'm Senior  
6 Vice President of Compliance for Clean Harbors Disposal  
7 Facilities.

8 And I would just like to say that Clean Harbors  
9 has reviewed this, the Draft Permit. We find the permit  
10 consistent with the regulations and does not impose any  
11 unreasonable restrictions on the facility that aren't  
12 consistent with the way we are -- we have been operating in  
13 the past and will continue to operate.

14 And we support the Draft Permit as has been  
15 published in the public newspapers.

16 Thank you.

17 MS. DEABAY: Thank you, Mr. Connors.

18 At this point, I want to ask if there's anybody  
19 else who wants to speak. We had a couple of folks who put  
20 maybe's.

21 So, if you would like to speak at this point?

22 Please introduce yourself.

23 MR. MALONEY: Yes. I'm Tom Maloney from East  
24 Braintree, belong to the Civic group.

25 I've been around for a little while. My own work

1 that I did for 34 years was manage two warehouses. I know  
2 about safety, how things should be stacked, stored, and  
3 trucks. I did the hiring. I did the purchasing of  
4 equipment from fork trucks, trucks and what have you.

5 I've been down to Clean Harbors a number of times  
6 through people asking me that. And I find a few things that  
7 happened in the past really unacceptable.

8 When I heard just now that they would follow the  
9 rules, I mean, ledgers and things of -- bills of lading  
10 that were on trucks that weren't -- and saying certain  
11 chemicals along that truck and it wasn't. We had that  
12 problem.

13 We had spills that weren't -- people didn't talk  
14 about.

15 But, mainly, my thing right now is about  
16 inspections. I think, I -- if I've got this wrong, I want  
17 to be corrected. But, I think, there's only two inspections  
18 a year? Is this correct?

19 That you people are going to inspect this facility  
20 only two times a year? I think, that was stated in the last  
21 meeting.

22 MS. DEABAY: We said that the state --

23 MR. MALONEY: The state?

24 MS. DEABAY: The state would be doing the  
25 inspections. And that we may also. But, that your own fire

1 department --

2 MR. MALONEY: Well, my problem is, I don't think  
3 that's enough for a facility that carries the type of  
4 chemicals that these people handle.

5 The other thing is how they enter their property  
6 from Quincy Ave and go out onto Quincy Ave. That's a  
7 problem for anybody driving a truck.

8 If you had to make a right turn, you've got to  
9 swing over. You've got to take two lanes to do it. That  
10 can be done.

11 But, doing a -- coming out of the facility and  
12 taking a left turn, you really run into a problem. The only  
13 way that could be corrected is either head toward Quincy and  
14 then, work with the lights in taking a left there, or making  
15 a circle that way and crossing the traffic that's going down  
16 that way. Especially in the winter.

17 Because it isn't the driver's fault. He sees a  
18 space. And it looks proper to him to pull out. But, what  
19 happens is, people are not that cautious when they drive.

20 And so, he could be halfway across that street  
21 when somebody go right underneath it. Create quite a  
22 problem.

23 So, I'd like to see that looked at.

24 And getting back now to inspections, that really  
25 gets to me, because we've been inspected a lot of times for

1 health facilities and stuff in warehouses.

2 And I think, the least you could do is up the --  
3 how many times you're going to inspect the place. And it  
4 wouldn't be bad to ask citizens who live there to take one  
5 of them with you on an inspection.

6 I certainly wouldn't mind going on one myself.  
7 Like I say, I ran the warehouse, two of them. And I knew  
8 how they should run. It doesn't have to be chemicals. But,  
9 I know if they're dirty. You know, like the man mentioned,  
10 there's a valve there leaking and they have got all kinds of  
11 time to fix this thing.

12 It doesn't make sense, especially what might be in  
13 these tanks.

14 And probably, look over all the bill of lading  
15 and see what is going in and out and if they're properly  
16 done. That would be a concern.

17 And if the drivers are -- have got all their  
18 health cards, if they're log books are up to day, are they  
19 taking a rest period when they should. These things, people  
20 who are in the know could look at and look and see if  
21 there's a problem.

22 It's a big problem, you take something out there  
23 in the road, and you're working under a schedule. And all  
24 trucks do this. And they put the burden on the truck  
25 driver.

1           What happens then, when he gets caught in traffic  
2 or whatever the case, weather, he runs his log. And he's  
3 tired.

4           I drove trucks for a few years myself. And I'm  
5 barely guilty of doing the same thing. Running from Canada  
6 to California down to Florida. I never once was able to  
7 drive the hours that they state at 10. Never. It was  
8 always 18 and 16 hours at a whack.

9           And then, you had about two hours of sleep. And  
10 then, you took another load, because you had to get to a  
11 certain place to pick up a load coming back.

12           It's a very dangerous thing when you start hauling  
13 chemicals all over the road. This is bad.

14           So, that should be really making sure that these  
15 drivers drive the rules. That they get a proper rest time.  
16 Even though you're hiring outside truckers, that's a smart  
17 move for Clean Harbors, because it puts the burden on them  
18 rather than Clean Harbors.

19           But, they are under their thing to haul. And  
20 they're licensed to haul their stuff. It should be stated  
21 that these guys can only drive the 10 hours they were told  
22 to drive and have a proper rest period in between, because  
23 that is dangerous.

24           And it's getting worse out there now to drive.  
25 Speeds are unbelievable. 70 and 80 miles an hour with a

1 trailer. Now that's unbelievable.

2 Not that all guys do that. But, they travel up on  
3 that 70. And that gets very dangerous.

4 To stop that truck at 70 miles an hour is a lot  
5 further than any car can stop in time.

6 So, things like this should be important. We used  
7 to call it the copilot. It was a gauge that was in the  
8 truck would tell you how many times.

9 Well, now, they've got all kinds of GPS systems.  
10 But, that would work back then, was make sure that you did  
11 run the proper speeds, and you did all the hours that was  
12 required.

13 Especially now hauling chemicals. They should be  
14 made really responsible hauling chemicals over the road that  
15 they've got the right hours in. And they're not forced to  
16 make another customer when they know damn right well, to do  
17 that, they're going to be over time on that.

18 Inspections would be nice. To bring somebody from  
19 the neighborhood in. And more inspections than just a  
20 couple.

21 And we all know it should be something you don't  
22 call up on the cell phone and say, hey, George. I'm coming  
23 down there. Everything okay.

24 You know, that's my thought for right now.

25 MS. DEABAY: Thank you.



1 MR. MALONEY: I thank you for listening.

2 MS. DEABAY: Is there anybody else who would like  
3 to come up and speak?

4 Nita?

5 MS. RICCA: My name is Nita Ricca. I'm a member  
6 of the East Braintree Civic Association. And I'm not a  
7 public speaker. So, I hope you give me some leeway.

8 First of all, the EPA is supposed to be the  
9 Environmental Protection Agency for the citizens. And your  
10 concern is the safety, health and welfare of us.

11 I, like Mike, and I'd like to thank Mike publicly  
12 for all the work he's done. And I hope that you'll take  
13 everything that he's -- all his hard work and research into  
14 consideration.

15 I too believe that the comment period is a little  
16 awkward, that it doesn't serve the citizenry of Braintree.  
17 We have to live with this facility. And we've been living  
18 with it with all their penalties and -- you know, I -- I  
19 object also to the comment period.

20 I also find that the language of this permitting  
21 was way beyond me. I needed a dictionary, plus I needed an  
22 interpreter.

23 And I think, you know, you go into the bank now  
24 and try to get a loan, and everything is in a common  
25 language for the common person.

1 I also am concerned about who's guarding the  
2 guardians. You people are supposed to be protecting us.

3 I have this horrible feeling that you're  
4 protecting the business, not the people of Braintree.

5 And that's all I have to say. I hope too that you  
6 deny this permit.

7 MS. DEABAY: Anyone else?

8 MR. OLIVA: My name is David Oliva, 172 Edgehill  
9 Road, Braintree. I am the Chairman of the East Braintree  
10 Civic Association, and also not a public speaker.

11 But, I've got a couple of points. One is to what  
12 Tom was talking about. The other day, I'm coming down  
13 Quincy Ave, and one of the Clean Harbors trucks comes flying  
14 out of -- I think, it's Hill Street, cuts me off and goes  
15 flying down Quincy Ave towards Weymouth Landing.

16 So, you might want to instruct your -- your  
17 drivers to at least be a little bit more courteous on the  
18 road and take their job and safety a little bit more  
19 seriously.

20 My other point is that, the regulations, as tough  
21 as they are to read, they're just basically generic  
22 regulations. And they don't address the specific  
23 requirements relative to Clean Harbors.

24 They're just -- they threw a bunch of regulations  
25 together that, you know, cover chemical plants, hazardous

1 waste. But, they don't -- they don't specifically address  
2 this facility that's on the shores of a river, next to a  
3 tank farm, next to a high pressure gas line, next to a  
4 community.

5 And I think, they should be a little bit more  
6 specific and they should actually take into consideration  
7 the subjective and objective parts of the facility.

8 So, I would just like to see that.

9 I also would love to see you reject the permit.  
10 But, I don't know that that's going to happen.

11 If you are going -- if you do approve it, I would  
12 like to see the permit a little bit more specific to the  
13 area.

14 So, that's all. Thank you.

15 MS. DEABAY: Is there anybody else who would like  
16 to speak?

17 MR. LANG: I'd like to make one last comment if no  
18 one else is going to --

19 MS. DEABAY: Okay. Anyone else?

20 Mr. Lang?

21 MR. LANG: The last comment I wanted to make was,  
22 that I sat through a short time on the planning board. And  
23 we had specifications and things we required of the  
24 developer.

25 The Clean Harbors facility isn't a safe facility.

1 It's very dangerous. Obviously, there has to be access for  
2 vehicles to get into there and get out of there.

3 Also, it's beside the -- beside the Citgo terminal  
4 which, in itself, is very dangerous.

5 Any way, there's one road in. And it's a very  
6 narrow road. But, there isn't a second access.

7 So, if there is a truck that breaks down, it's  
8 going to -- and blocks that road, that thing's going to go  
9 up. It's going to create a problem and we're not going to  
10 be able to get into it.

11 I know that, from what I've been hearing is, well,  
12 that's not our problem. That's some other department that  
13 does it.

14 It's got to be your problem. Because, you know,  
15 like I said, Citgo is right beside it. Someone has to  
16 address this.

17 If I were sitting on this, and we were issuing a  
18 permit on the planning board, I wouldn't allow that to  
19 happen unless they had a second access to it.

20 And that's just something that's common sense.  
21 And I mean, the gas station down the street needs two  
22 accesses.

23 You know, the -- all these facilities. Now matter  
24 the -- whatever, house, the building itself needs to  
25 accesses.

1 AUDIENCE MEMBER: A house has to.

2 MR. LANG: It's common sense. And I know that  
3 you'd like to be able to issue this permit and walk away and  
4 not -- and kind of wear blinders on this thing. You can't.

5 This is too dangerous. You've got to -- you've  
6 got to look at this and say common sense would say you've  
7 got to require more of these people. It's a dangerous area.  
8 The potential is dangerous.

9 There's a 900 pound gas line in there. And from  
10 all that I've read from Algonquin, it looks like Algonquin  
11 is going to put a bigger gas line in there.

12 So, I mean, you really have to address this issue.  
13 Thank you.

14 MS. DEABAY: Thank you, Mr. Lang.

15 Anyone else who would like to speak?

16 (No response)

17 MS. DEABAY: Okay. If not, I would like to do a  
18 few thank you's and then close the meeting.

19 I want to thank all of the citizens that came out  
20 to speak tonight and to provide their information. If  
21 anyone who spoke, Mr. Lang gave us a package, if anyone else  
22 who spoke wants to send things in by e-mail by midnight  
23 tonight to clarify anything in addition.

24 I know, the court reporter has taken them down.  
25 And they will be taken into the record. But, if there's

1 anything you wanted more accurately written, we'd ask that  
2 you go ahead and send an e-mail.

3 You can send it to Sharon by the end of the  
4 evening tonight before midnight, and it will be come part of  
5 the record.

6 I want to thank Congressman Lynch's office for  
7 being present. I also want to thank representatives from  
8 Senator John Keenan's office for being present. I want to  
9 thank the City Councilors who are present for this meeting.  
10 And I also want to thank the Mayor's office for being  
11 present. We thank you very much for coming.

12 I now would like to put a close to this public  
13 hearing. This concludes our public hearing. Thank you all  
14 for coming.

15 As a reminder, the Draft Permit is posted on the  
16 EPA website and that, by midnight tonight, if you do have  
17 anything you need clarification on, you want to write what  
18 you said, you want to be able to document what's already  
19 gotten taken in the verbal record, I ask that you do that  
20 through an e-mail to Sharon Leitch.

21 Thank you very much.

22 (Whereupon, at 7:12 p.m., the hearing was  
23 concluded.)  
24

CERTIFICATE OF REPORTER AND TRANSCRIBER

This is to certify that the attached proceedings  
in the Matter of:

RE: CLEAN HARBORS OF BRAINTREE EPA HAZARDOUS AND  
SOLID WASTE AMENDMENTS (HWA PERMIT)

Place: Braintree, Massachusetts

Date: April 16, 2014

were held as herein appears, and that this is the true,  
accurate and complete transcript prepared from the notes  
and/or recordings taken of the above entitled proceeding.

M. Rossi  
Reporter

04/16/14  
Date

M. Rossi  
Transcriber

05/01/14  
Date